

Message Text

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C O N F I D E N T I A L MADRID 9649

E.O. 11652: GDS
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SUBJ: POLITICAL WRAP-UP: CARRILLO CASE BEFORE PUBLIC ORDER JUDGE;
PRIME MINISTER MEETS WITH OPPOSITION REPRESENTATIVES ON ELECTORAL
LAW; TO CIVIL GUARD AND POLICE OFFICIALS REPLACED AND SPECIAL
MILITARY COMMISSION NAMED.

REF: MADRID 9611

1. SPANISH COMMUNIST PARTY (PCE) SEC GEN SANTIAGO
CARRILLO AND THE SEVEN PCE LEADERS ARRESTED WITH HIM WERE
TRANSFERRED TO CARABANCHEL PRISON ON THE OUTSKIRTS OF MADRID
DECEMBER 23, WHILE HIS CASE WAS TURNED OVER TO A PUBLIC
ORDER JUDGE. PRESS ACCOUNTS CITED LEGAL CIRCLES TO THE
EFFECT THAT ANY CIVIL WAR CRIMES CAME UNDER THE STATUTE
OF LIMITATIONS, ANY NON-BLOOD CRIMES BEFORE THE JULY 1976
AMNESTY WERE COVERED BY IT, AND NO SPANIARD CAN BE
EXPELLED FROM SPAIN. A 1949 LAW, HOWEVER, DOES COVER
ILLEGAL ENTRY, WITH A POSSIBLE PENALTY OF SIX MONTHS TO
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SIX YEARS IN PRISON. SO FAR THE AFFAIR IS PROCEEDING ALONG
EXPECTED LINES, WITH THE GOVERNMENT ASSERTING THE CASE IS
IN THE HANDS OF THE COURTS, PROTESTS ARRIVING FROM ABROAD,
AND DEMONSTRATIONS BEING EITHER HELD OR ATTEMPTED
IN MADRID AND OTHER SPANISH CITIES. MONARCHIST-MODERATE
ABC CALLED EDITORIALY FOR THE COURTS TO BE SPARED POLITICAL

PRESSURES FROM THE LEFT AND THE RIGHT, CATHOLIC-CENTRIST YA POINTED OUT THE DIFFERENCE BETWEEN THE CARRILLO CASE AND THE QUESTION OF LEGALIZATION OF THE PCE, AND POLITICAL COMMENTATOR LUIS APOSTUA NOTED THREE POSSIBLE EFFECTS OF THE ARREST: IT CEMENTED CARRILLO IN AS SECGEN; IT COULD LEAD TO A DEFINITIVE RESOLUTION OF HIS LEGAL CONDITION; AND THE PCE MIGHT JEOPARDIZE ITS CHANCES OF GENERAL ACCEPTANCE AND LEGALIZATION IF IT DEMONSTRATED TOO MUCH OR TOO HARD ON CARRILLO'S BEHALF.

2. OPPOSITION REPRESENTATIVES TIerno GALVAN AND JORDI PUJOL FINALLY HAD THEIR FIRST MEETING ON BEHALF OF THE OPPOSITION COMMITTEE OF NINE WITH PRIME MINISTER SUAREZ REGARDING THE ELECTORAL LAW, AND ASSOCIATED TOPICS. IN AN IMPROMPTU MEETING WITH THE PRESS AFTERWARD WHAT WAS CLEARLY A PRELIMINARY SESSION WITH SUAREZ, TIerno AND PUJOL TOOK A POSITIVE AND EVEN ROSY LINE, SAYING THEY FOUND HIM OPEN AND DESIROUS OF NEGOTIATING THE ELECTORAL LAW AND EXPRESSING PLEASURE THAT HE ALSO SPOKE REPEATEDLY OF ELECTORAL GUARANTEES. SUAREZ WAS ALSO QUOTED AS SAYING HE "WOULD LIKE THE LEGALIZATION OF ALL PARTIES THAT IN PRACTICE DO NOT IMPEDE THE DEMOCRATIC PROCESS."

3. THE DECEMBER 23 CABINET MEETING OFFICIALLY DETERMINED THE REPLACEMENT OF TOP GUARDIA CIVIL AND POLICE OFFICIALS: THE NEW DIRECTOR GENERAL OF THE GUARDIA CIVIL IS GENERAL ANTONIO IBANEZ FREIRE, FORMER CIVIL GOVERNOR OF SANTANDER, VIZCAYA, AND BARCELONA, AND FORMER UNDERSECRETARY OF LABOR. TAKING OVER AS DIRECTOR GENERAL OF SECURITY IS MARIANO NICOLAS GARCIA, CURRENTLY CIVIL

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GOVERNOR OF VALENCIA AND FORMER CIVIL GOVERNOR OF CUENCA, SANTA CRUZ DE TENERIFE, AND CORDOBA. THE NEW INSPECTOR GENERAL OF THE ARMED POLICE IS BRIGADIER GENERAL JOSE TIMON LARA, WHOSE PREVIOUS POSTS INCLUDE THAT OF MILITARY GOVERNOR OF GERONA. THE CHANGES SHOW SIGNS OF HIGH-LEVEL AND EVEN ROYAL INVOLVEMENT: IBANEZ WAS JUMPED OVER OTHER GENERALS TO BE NAMED LT. GENERAL AT THE TIME HE WAS NAMED FOR THE POST. UNDERLYING THE SHIFTS ARE BOTH THE LONG-STANDING PROBLEM

OF GETTING THE SECURITY FORCES UNDER EFFECTIVE CENTRAL CONTROL, AND THE MORE IMMEDIATE PROBLEM POSED BY THE RECENT DEMONSTRATION BY MEMBERS OF THE GUARDIA CIVIL AND THE ARMED POLICE.

4. POTENTIALLY EVEN MORE IMPORTANT WAS THE CREATION, ANNOUNCED FOLLOWING THE CABINET MEETING, OF A "DELEGATED COMMISSION FOR MILITARY AFFAIRS," TO BE HEADED BY THE PRIME MINISTER AND INCLUDE THE FIRST VICE PRIME MINISTER FOR DEFENSE AFFAIRS (GUTIERREZ MELLADO), THE

MILITARY MINISTERS, AND THE MINISTERS OF INTERIOR, JUSTICE, AND FINANCE. THE FORMAL CHARGE OF THE COMMISSION IS "TO STIMULATE AND UP-DATE THE RESOLUTION OF THE ARMED SERVICES AND THE PUBLIC ORDER FORCES," TO DEAL WITH "THE HIGHER ORGANIZATIONS OF NATIONAL DEFENSE, UP-DATING ITS BUDGET PROVISIONS FOR THE COMING YEARS, THE BASIC UNIFYING CRITERIA OF PERSONNEL POLICY FOR THE ARMED SERVICES AND THE PUBLIC ORDER FORCES, PRINCIPALLY IN THEIR ECONOMIC AND SOCIAL ASPECTS, AND IN THE READJUSTMENT OF RESPONSIBILITIES OF MILITARY JURISDICTION." ONE LIKELY EVENTUAL RESULT IS THE CREATION OF A SINGLE DEFENSE MINISTRY. STABLER

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